

Assembly Bill No. 302

CHAPTER 220

An act to amend Section 1720.3 of the Labor Code, relating to public works.

[Approved by Governor July 28, 1999. Filed with
Secretary of State July 28, 1999.]

LEGISLATIVE COUNSEL'S DIGEST

AB 302, Floyd. Public works: prevailing wages.

(1) Existing law defines the term "public works" for purposes of requirements regarding the payment of prevailing wages, the regulation of working hours, and the securing of workers' compensation for public works projects. Existing law further requires that, except as specified, not less than the general prevailing rate of per diem wages be paid to workers employed on public works and imposes misdemeanor penalties for a violation of this requirement.

Existing law provides that for the purposes of provisions of law relating to the payment of prevailing wages, "public works" means, among other things, the hauling of refuse from a public works site to an outside disposal location with respect to contracts involving any state agency, including the California State University and the University of California.

This bill would revise the definition of "public works" for these purposes to include the hauling of refuse from a public works site to an outside disposal location with respect to contracts involving any political subdivision of the state, thereby requiring the payment of prevailing wages in connection with all such contracts involving any local public entity.

Because the violation of prevailing wage requirements by local public entities when engaged in these public works projects would result in the imposition of misdemeanor penalties, this bill would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The people of the State of California do enact as follows:

SECTION 1. Section 1720.3 of the Labor Code is amended to read:

1720.3. For the limited purposes of Article 2 (commencing with Section 1770), “public works” also means the hauling of refuse from a public works site to an outside disposal location, with respect to contracts involving any state agency, including the California State University and the University of California, or any political subdivision of the state.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

